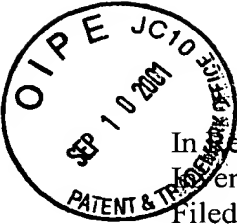


GAU 2644
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Inventor(s): JONES, Owen
Filed: 07/23/01
Serial No.: 09/911,126
Art Unit: 2644
Examiner:
Docket Number: 272PQ-C1
Title: NOISE CANCELLATION SYSTEM FOR ACTIVE HEADSETS

Assistant Commissioner for Patents
Washington, DC 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached Form) of which they are aware, which they believe are relevant and may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR §1.56. The order of listing of the references on the attached form and appendix hereto is without regard for relative relevance to the present invention.

This Information Disclosure Statement:

- (a) ☐ accompanies the new patent application submitted herewith. 37 CFR §1.97(a).
- (b) ☒ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491.
- (c) ☐ as far as is known to the undersigned, is filed before the mailing date of a first office action on the merits.
- (d) ☐ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee set forth in 37 CFR §1.17(p) **or** a certification as specified in 37 CFR §1.97(e), as checked below.
- (e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee set forth in 37 CFR §1.17(i)(1) **and** a certification as specified in 37 CFR §1.97(e), as

checked below. **This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.**

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☐ Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached form are not supplied because they were previously cited by or submitted to the Office in a prior application Serial No. _____, filed _____ and relied upon in this application for an earlier filing date under 35 U.S.C. 120.

A concise explanation of relevance[†] of the items listed on the attached form:

- ☒ is not required.
- ☐ is given for each listed item in an appendix to this communication.
- ☐ appears in the body of the application.
- ☐ is given for non-English language listed item(s) [Required] and appears in an appendix to this communication.
- ☐ is in the form of an English language copy of a Search Report (copy attached) from a foreign patent office, issued in a counterpart application which refers to the relevant portions of the references.

[†] A "concise explanation of the relevance" of the submitted references "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP §609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, this statement does not constitute an admission that any patent, publication or other information referred to therein is "prior art" or material to this invention.

In accordance with 37 CFR §197(b), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in

compliance with 37 CFR §1.98 and MPEP §609. The Examiner is requested to fully consider each of these references and acknowledge such consideration by appropriately initialing the attached form and returning a copy to the address below. In addition, the Examiner is requested to conduct a thorough independent search in order to bring the best references available forward in this application.

The fee required for this Information Disclosure Statement is calculated below:

| | | |
|---------------------------|---------|-------|
| Fee under 37 CFR §1.17(p) | (\$240) | \$ |
| Fee under 37 CFR §1.17(i) | (\$130) | \$ |
| TOTAL | | \$ 00 |

- ☐ A check for the above required fees is enclosed.
- ☒ Please charge any and all fees required to process this information disclosure statement to my Deposit Account No. 14-1170. A duplicate copy of this authorization is enclosed.
- ☒ The commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to my Deposit Account No. 14-1170. A duplicate copy of this authorization is enclosed.

Respectfully submitted,



Renee' Michelle Larson
Registration No. 36,193

Dated: September 7, 2001

Please send correspondence to:

Carla Eatwell
NCT Group, Inc.
1025 West Nursery Road, Suite 120
Linthicum, MD 21090-1206

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| <p align="center">CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231</p> <p>on: <u>09/07/01</u> Reg. No. <u>36,193</u> (Applicant, Assignee or Reg. Representative)</p> <p><i>Jeannette Lovegren</i></p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



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|---------------------------------------------------------------------------------------------------|---|----|-----------------------------|-------------------------------|----------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | Complete if Known | | |
| | | | Application Number | | |
| | | | Filing Date | July 23, 2001 | |
| | | | First Named Inventor | JONES, Owen | |
| | | | Group Art Unit | 2644 | |
| | | | Examiner Name | | |
| Sheet | 1 | of | 1 | Attorney Docket Number | 272PQ-C1 |

U.S. PATENT DOCUMENTS

| Examiner initials | Cite No. | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|----------------------|-------------|----------------------|-------------------------|-------------------------------------------------------|--------------------------------------------------------|------------------------------------------------------------------------------------|
| | | Number | Kind Code (if known) | | | |
| | AA | 5,001,763 | B1 | Moseley | 03-19-1991 | |
| | AB | 5,117,461 | B1 | Moseley | 05-26-1992 | |
| | AC | 5,732,143 | B1 | Andrea et al | 03-24-1998 | |
| | AD | 5,825,897 | B1 | Andrea et al | 10-20-1998 | |
| | AE | 6,061,456 | B1 | Andrea et al | 05-09-2000 | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials | Cite No. | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|----------------------|-------------|-------------------------|--------|-------------------------|-------------------------------------------------------|--------------------------------------------------------|------------------------------------------------------------------------------------|----------------|
| | | Office | Number | Kind Code (if known) | | | | |
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